IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.862 OF 2003
IN
SUMMARY SUIT NO.2191 OF 2003

O'shn Electricals (I) Pvt.Ltd. ....Plaintiff

V/s.

IMP Power Ltd. ....Defendant

Mr.V.R. Dhond i/b A.Mehta Laljee & Co. for the Plaintiff.

None for the Defendant.

CORAM : S.J. VAZIFDAR, J.
DATED : 7TH JUNE, 2005.

P.C. :

1. The suit is filed to recover the price of the goods sold and delivered. Invoices for the same have been raised. The Company Petition under the same cause of action was filed. By an order dated 27.2.2003, D.K. Deshmukh, J. directed the Defendant to furnish a bank guarantee in the sum of Rs.1,90,000/-. The Defendant has furnished the bank guarantee.

2. There is no affidavit in reply. There is no

defence to the suit.

3. In the circumstances, the Summons for Judgment is made absolute and the suit is decreed as prayed. The Plaintiff shall be entitled to interest at the rate of 21% p.a. from 1st August, 2000 till the date of filing of the suit and thereafter at the rate of of 12% p.a. Prothonotary and Senior Master is directed to invoke the bank guarantee after the period for filing an appeal against this order has expired and to pay over the said amount to the Plaintiff towards the decretal dues.

4. Refund as per rules.

. For the purpose of refund of the court fees, the Prothonotary and Senior Master to act on an authenticated copy of this order.